

To: Whom it may concern:
Re: Delayed submission of Amended Appeal Brief due to apparent technical failure of EFS website with IE6 and Windows XP (SP3).

This document failed to upload repeatedly in IE6 with the following error messages (script error reporting turned on):

Error message #1

Line: 961
Char: 4
Error: Access is denied.
Code: 0

Error message #2

Line: 93
Char: 5
Error: Automation server can't create object
Code: 0

Approximate URL (hand typed)

https://sportal.uspto.gov/secure/myportal/!ut/p/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLN4j3CQPJgFmh-pGolsam6CKOcaFlj_zcVP0goEsKOVDEMMhFPyonNT0xuVI_WN9bP0C

Windows XPSP3, IE Version 6.0.2900.5512.xpsp.080413-2111

Additionally, another message was encountered when clicking on some of the tabs at the top (under "EFS Registered").

Line: 793
Char: 2
Error: Access is denied.
Code: 0

Although a 1-month extension has already been filed separately, this delay caused the response to exceed the nominal one-month response window which may be legally significant. This delay was beyond my reasonable control or expectation as I was logged in using IE as normal and in the electronic filing section with 20 minutes to go before midnight. I have uploaded files with this exact configuration previously. Uploading files is a simple function in browsers so something clever is being attempted which fails, possibly for many other XP/IE6 users. About the only unusual situations were that pop-ups were disabled and another window was open looking at the file wrapper, however, these should be acceptable conditions, and if not, detected and notified.

As it turns out, Firefox 2.0, which used not to work and was not previously recommended, did the trick, although after midnight had passed.

Separately, the file was converted to PDF using OpenOffice to eliminate the problem with non-embedded fonts, but OpenOffice has a bug with respect to page numbering. A new bitmap version will be filed using Adobe Acrobat.

Sincerely,
Christian S. Rode
Applicant, PRO-SE
09/287,478